

REMARKS

Claims 1-26 are pending in the application. In the final Office Action of September 19, 2005, the Examiner rejected claims 1-26 under 35 U.S.C. §103(a) as being allegedly unpatentable over *He, et al. (U.S. Patent No. 6,671,259)* (“*He*”) in view of *Zisapel, et al. (U.S. Patent No. 6,249,801)* (“*Zisapel*”). Applicants respectfully traverse the rejection and address the Examiner’s disposition below.

Claims 1, 11, 18, and 26 have been amended to clarify that the load balancing master server selects the load balancing slave server to receive the request from the client, and that the load balancing slave server receives the request after the load balancing master server selects the load balancing slave server.

Claims 5, 14, and 22 have been amended to clarify that the second load balancing server selects the first load balancing server to receive the request from the client, and that the first load balancing server receives the request after the second load balancing server selects the first load balancing server.

Independent claims 1, 5, 11, 14, 18, 22, and 26 each claim subject matter relating to a master (second) load balancing server selecting a slave (first) load balancing server to receive a request from a client to perform a processing. After being selected by the master (second) load balancing server, the slave (first) load balancing server receives the request from the client and forwards it to the master (second) load balancing server. The master (second) load balancing server determines a load of each of a plurality of processing servers, and selects a selected one of the plurality of processing servers that is suitable for performing the processing.

This is clearly unlike *He* in view of *Zisapel*, which fails to disclose or suggest a first load balancing server that receives a request from a client and sends it to a second load balancing server, after the second load balancing server selects the first load balancing server to receive the request. Referring to *He* Figure 1, *He* discloses a system having a plurality of load balancing servers LB 1 - LB N and a load balancing selector LBS. A request to perform processing is received at the load balancing selector LBS, which sends the request to a determined load balancing server, such as LB 1. (*He* 3:65-4:4). The load balancing server then chooses a processing server to perform the processing. Thus, the load balancing selector LBS receives requests and assigns them to load balancing servers LB 1 - LB N.

Nowhere does *He* suggest that its load balancing servers LB 1 - LB N select the load balancing selector LBS to receive requests. Instead, *He*'s load balancing selector LBS has the function of receiving requests. Thus, *He* fails to disclose or suggest a first load balancing server that receives a request from a client and sends it to a second load balancing server, after the second load balancing server selects the first load balancing server to receive the request.

Zisapel also fails to disclose or suggest a first load balancing server that receives a request from a client and sends it to a second load balancing server, after the second load balancing server selects the first load balancing server to receive the request. *Zisapel* teaches that a first load balancing server can tell a client to redirect a request to another load balancing server. *Zisapel* 1:49-53. The first load balancing server receives a request from a client, and when the first load balancing server is unavailable, the first load balancing server notifies the client of a second load balancing server URL. *Id.* Then, the client can resend its request to the second load balancing server.

Nowhere does *Zisapel* suggest that its second load balancing server selects the first load balancing server to receive the request. Therefore, *Zisapel* could not teach or suggest a first load balancing server that receives a request from a client and sends it to a second load balancing server, after the second load balancing server selects the first load balancing server to receive the request.

Thus, *He* in view of *Zisapel* still fails to disclose or suggest claims 1, 5, 11, 14, 18, 22, and 26.

Claims 2-4, 6-10, 12, 13, 15-17, 19-21, and 23-25 depend directly or indirectly from claims 1, 5, 11, 14, 18, 22, and 26 and are therefore allowable for at least the same reasons that claims 1, 5, 11, 14, 18, 22, and 26 are allowable.

Applicants submit the rejection has been overcome and request that it be withdrawn.

CONCLUSION

In view of the foregoing, it is submitted that claims 1-26 are patentable. It is therefore submitted that the application is in condition for allowance. Notice to that effect is respectfully requested.

Respectfully submitted,

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